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Application No.: 10/691981

JUL 20 2006

Case No.: 55343US007

REMARKS

Claims 1 to 17 are pending. Claims 18 to 28 have been canceled. Claims 5, 6 and 15 are amended. The amendments find support, for example, at p. 10, lines 1-26. Thus, no new matter has been added.

§ 112 Rejections

Claims 1-17 stand rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Applicants respectfully disagree and submit that "the first surface layer comprising a first disperse phase disposed within a first continuous phase," recited in claim 1, may in some embodiments be a resultant optical film. This is exemplified at p. 16, lines 8-13. In other embodiments, the first layer may be further processed and/or included into a multilayer construction (e.g., as recited in amended claims 5, 6 and 15). See p. 10, lines 1-26. Therefore, claims 1-17 are not indefinite and a withdrawal of this rejection is respectfully requested.

§ 103 Rejections

Claims 1-17 stand rejected under 35 USC § 103(a) as being unpatentable over Merrill et al. U.S. Patent No. 6,179,948 (Merrill). The Applicants respectfully disagree and submit that it would not be obvious to a person of ordinary skill in the art to modify the cited reference as suggested by the Examiner.

The Examiner admits that Merrill lacks the teaching of separating the first surface layer from the second layer. In addition, it appears that the Examiner agrees that the last two lines of col. 27 in Merrill refer to additional sacrificial layers disposed over the continuous/disperse phase layers. Contrary to the Examiner's further arguments, Merrill is missing any suggestion that a continuous/disperse phase layer may be separated from the layer of facilitating material. Instead, the reference states various advantages of including a facilitating film layer in the finished construction, such as: "improved mechanical strength, optical properties or handling" (col. 27, lines 17-19). The reference further states that it is preferred that "the facilitating material not

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substantially affect the polarization orientation of light transmitted through that layer," which further indicates that the facilitating material is intended to be a part of the finished film. Therefore, Merrill actually teaches away from removing the continuous/disperse phase layer from the layer of facilitating material.

Furthermore, reasonable expectation of success in modifying the disclosure of Merrill to meet the limitations of the present claims is missing. As it is explained at p. 33 of the present application in the section entitled "Peel Force," making the outer layers of the original film removable requires a selection of suitable materials for adjacent layers. Merrill reference provides no guidance as to how a person of skill in the art would appropriately select the materials of the continuous/disperse phase layer and those of the facilitating material layer such that they could be delaminated.

For at least the foregoing reasons, claim 1 is patentable over Merrill. Claims 2-17 each add additional features to claim 1 and are patentable for at least the same reasons.

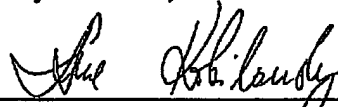
In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is respectfully requested. Allowance of claims 1-17, as amended, at an early date is earnestly solicited.

Respectfully submitted,

Date

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